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PATENT  
Attorney Docket No. 101.0112-01000  
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Gary K. Michelson, M.D. ) Confirmation No.: 6717  
Serial No.: 10/809,242 )  
Filed: March 25, 2004 ) Group Art Unit: 3732  
For: INSTRUMENTATION FOR USE WITH )  
DYNAMIC SINGLE-LOCK ANTERIOR )  
CERVICAL PLATE SYSTEM HAVING )  
NON-DETACHABLY FASTENED AND )  
MOVEABLE SEGMENTS )

OFFICE OF INITIAL PATENT EXAMINATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**CERTIFICATE OF MAILING VIA FIRST CLASS MAIL**

Date of Deposit: June 29, 2004

I hereby certify that:

1. Request for Correction of Patent Office Records with attachment
2. Self-addressed return postcard receipt

are being deposited with the United States Postal Service to Addressee with sufficient postage as first class mail under 37 C.F.R. § 1.8 on the date indicated above and are addressed to:

OFFICE OF INITIAL PATENT EXAMINATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: June 29, 2004

  
Sandra L. Blackmon

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: (330) 877-0700  
Facsimile: (330) 877-2030



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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR CORRECTION OF PATENT OFFICE RECORDS**

Applicant is in receipt of the Official Filing Receipt dated June 8, 2004 for the above-identified patent application. Applicant notes that the Official Filing Receipt was mailed to a previous address, and requests correction of the Patent Office Records. The correct contact information and correspondence address of record should read as follows as evidenced on page 2 in the attached copy of the Continuing Application Transmittal as originally filed:

Customer No. 22882  
Martin & Ferraro, LLP  
1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: 330-877-0700  
Facsimile: 330-877-2030

It is respectfully requested that the Patent Office records be corrected, acknowledgement issued with respect thereto, and all future correspondence mailed to the above address.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: June 29, 2004

By:   
Thomas H. Martin  
Registration No. 34,383

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: (330) 877-0700  
Facsimile: (330) 877-2030



Attorney Docket No. 101.0112-01000  
Customer No. 22882  
Express Mail Label No. ER521775138US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson, M.D.

Serial No: (Div. of 10/160,086)

Filed: March 24, 2004

For: INSTRUMENTATION FOR USE WITH  
DYNAMIC SINGLE-LOCK ANTERIOR  
CERVICAL PLATE SYSTEM HAVING  
NON-DETACHABLY FASTENED AND  
MOVEABLE SEGMENTS

Prior Application Information:

Group Art Unit: 3732

Examiner: P. Philogene

**COPY**

MS PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**CONTINUING APPLICATION TRANSMITTAL**

Transmitted herewith for filing is a  Continuation  Divisional  Continuation-In-Part application under 37 C.F.R. § 1.53(b) of prior patent application No. 10/160,086, filed June 4, 2002.

- Applicant claims small entity status under 37 C.F.R. §§ 1.9 and 1.27.
- 34 total application pages including specification, claims (63 total and 1 independent), and abstract are enclosed.
- A newly executed Declaration and Power of Attorney  is enclosed  will follow.
- A copy of the Declaration and Power of Attorney from the prior application is enclosed.

The entire disclosure of the prior application, from which an oath or declaration is supplied, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

- 25 sheets of formal drawings (A4 paper; Figs. 1-41e) are enclosed.
- The prior application is assigned of record to: \_\_\_\_\_.
- The power of attorney in the prior application is to at least one of the following: MARTIN & FERRARO, LLP; Thomas H. Martin, Reg. No. 34,383; Amedeo F. Ferraro, Reg. No. 37,129; and Todd M. Martin, Reg. No. 42,844.
  - The power appears in the original Declaration of the prior application.
  - Since the power does not appear in the original Declaration, a copy of the power in the prior application is enclosed.
- A certified copy of \_\_\_\_\_ Patent Application No. \_\_\_\_\_ filed \_\_\_\_\_ from which priority is claimed under 35 U.S.C. § 119 is enclosed.
- Information Disclosure Statement (IDS) with Form PTO-1449 is enclosed.



Amend the specification by rewriting paragraph 1 on page 1 to read as follows:

--This is a  continuation  divisional of application Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and claims benefit of U.S. Provisional application No. \_\_\_\_\_, filed \_\_\_\_\_, all of which are incorporated herein by reference.--

- Cancel Claims \_\_\_\_\_.  
 An Amendment is enclosed.

CALCULATION OF FEES								
ITEM		TOTAL NO. OF CLAIMS		NO. OF CLAIMS OVER BASE	LG/SM \$ ENTITY FEE		\$ AMOUNT	\$ FEE
A	TOTAL CLAIMS FEE	63	-20	43	LG=\$18 SM=\$9	\$18	774	
B	INDEPENDENT CLAIMS FEE*	1	-3	0	LG=\$86 SM=\$43	\$86	0	
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (ADD FINAL COLUMN IN LINES A + B)							\$ 774.00
D	MULTIPLE-DEPENDENT CLAIMS FEE							LARGE ENTITY FEE = \$290 SMALL ENTITY FEE = \$145
E	BASIC FEE							LARGE ENTITY FEE = \$770 SMALL ENTITY FEE = \$385
F	TOTAL FILING FEE (ADD TOTALS FOR LINES C, D, AND E)							\$ 1,544.00

- A check in the amount of \$1,544.00 to cover the filing fee is enclosed.  
 Correspondence Address: Customer No. 22882  
Martin & Ferraro, LLP  
1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: (330) 877-0700  
Facsimile: (330) 877-2030  
 The Commissioner is hereby authorized to charge any deficiency for the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. A copy of this sheet is enclosed.  
 Any additional filing fees required under 37 C.F.R. § 1.16  
 Any patent application processing fees under 37 C.F.R. § 1.17

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, Serial No. 10/160,086, filed June 4, 2002, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 50-1066. A duplicate copy of this paper is enclosed for use in charging the deposit account.

Respectfully submitted,  
MARTIN & FERRARO LLP

Date: March 24, 2004  
By:   
Thomas H. Martin  
Registration No. 34,383

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Hartville, Ohio 44632  
Telephone: 330-877-0700  
Facsimile: 330-877-2030